

The Honorable John C. Coughenour

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA, *ex rel.*
D R O'HARA and D R O'HARA, Individually,

Plaintiffs,

v.

THE BOEING COMPANY and INSITU, INC.,

Defendants.

CASE NO. C15-01527-JCC

Noted for Consideration on:
January 19, 2021

STIPULATED MOTION TO DISMISS

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure and the *qui tam* provisions of the False Claims Act, 31 U.S.C. § 3730(b)(1), and in accordance with and subject to the terms and conditions of the Settlement Agreement dated December 23, 2020 ("Settlement Agreement") signed by the United States, Insitu, Inc. ("Insitu"), and Relator D R O'Hara (collectively "the Parties"), the United States and the Relator hereby stipulate, through their undersigned counsel, to the entry of an order dismissing the Complaint, subject to the terms and conditions of the Settlement Agreement, with prejudice as to the Relator, and with prejudice as to the United States to the extent

1 of the Covered Conduct, as that term is defined in the Settlement Agreement, but otherwise without
2 prejudice to the United States.

3 2. Relator agrees that the amount and terms of the Settlement Agreement are fair,
4 adequate, and reasonable pursuant to 31 U.S.C. § 3730(c)(2)(B).

5 3. The Parties request that the Court retain jurisdiction over the matter to enforce the
6 terms of the Settlement Agreement and address the attorneys' fee issues, should that become
7 necessary.

8 4. The Parties further request that the Court enter an order in the form of the
9 accompanying proposed order.

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1 Dated this 19th day of January, 2021.

2 Respectfully submitted,

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